

March 9, 2009

The Common Council met as the Water Utility Board at 7:00 p.m. on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Fuelling, Hoehn, Curtis, and Higgins attending. Board member Askren was not present. Others attending were Attorney Higgins; Supt. Gray; Asst. St. Comm. Miller; Chief Beloit; Chief Waters; Rich DeMarco – Johnson Controls, Inc.; Andy Hoehn; Judy Whitten; Scott Miller – Umbaugh; Larry Bogan; Mike McCarty – GAF; Angie Davis; Dave Pearce – Posey County News; and arriving during the meeting, Supt. Givens.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertain a motion to waive their reading and to approve the minutes as presented.

Board member Higgins moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Fuelling.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker requested action on the claims presented.

Board member Fuelling moved the claims presented be allowed for payment. Seconded by Board member Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

*****CLAIMS*****

Mayor Tucker stated they will now hear the report of the Water Chairman.

Chairman Curtis stated he believes Supt. Gray has a report.

Supt. Gray approached the podium and stated Rick Miranda from IDEM was at the plant Thursday morning, and the new Trident Filters passed on first inspection. He then stated the turbidity has been held to 0.030 NTU's or lower, which is a 77% increase in water clarity. He added anything below 0.300 NTU's for 95% of the month is considered acceptable, so they are achieving 10 times more clarity than is required.

Supt. Gray continued his report by stating the chemical dosage has been reduced by 46%, which will result in not only a better tasting product, but it should also save the city about \$36,000 a year. He then stated the KROFTA's were shut down at 10:15 on Thursday morning. With the KROFTA's out of service, the city should save about 862,000 kilowatt hours per year in power savings. He added this will also substantially reduce their carbon footprint and should save the city roughly \$56,000 per year in power costs. Supt. Givens arrived at the meeting.

He then state with the KROFTAs off, the city should see a reduction in maintenance costs and overtime somewhere in the order of \$25,000 per year.

Supt. Gray continued by stating they have also reduced the discharge into the Ohio River by 720,000 gallons per day. The City has had an Agreed Order concerning the discharge from the Water Works since 1994. He stated features of the new plant include a waste tank to settle solids out of backwash water and sludge pumps to move these solids down to the Lamella discharge are for dewatering.

On another topic, Supt. Gray reported construction on the North Booster Station started today and construction of the new packer barn for the Street Department will start on Wednesday.

Mayor Tucker asked if there were any questions ?

Board member Hoehn asked about a congratulatory tour of the plant ?

Supt. Gray replied anytime anyone wants to come down is fine, and he is actually thinking of having a day when it would be open to the public for tours.

Chairman Curtis stated they have been discussing the possibility of dedicating the new building to former deceased Councilman and Board member Terry Cooper, who actually started the entire project. He then moved the new building be dedicated in honor of Terry Cooper. Seconded by Board member Higgins.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Board member Fuelling asked what they will be doing with the KROFTAs ?

Supt. Gray asked if anyone had any dynamite ?!! He then stated he has even offered to sell them back to KROFTA. He added he will hang on to KROFTA 2 for awhile for back up purposes, then they will both be dumped. He stated once they get rid of KROFTA 2 they would have room to place two more Tridents in the building.

Chairman Curtis stated this moment has been a long time coming and he feels they are finally on the right track now. He added things are going well and he anticipates that will continue. He stated JCI has done a great job, as well as PPMI and they should all be congratulated.

Supt. Gray stated Mr. DeMarco of JCI also has an update for the Board.

Mr. DeMarco stated, in reference to the Lamella Building, pump one is left to be installed, and then that will be complete. He added the instrumentation at the plant is 50% complete, and Vectren power tie-in is to be completed tomorrow at the Keck Booster Station. He stated Keck Booster Station system start up is scheduled for next Monday, and the foundation is under construction at the North Booster Station.

Mayor Tucker asked if there were any questions of Chairman Curtis or Supt. Gray ?

There were none.

Mayor Tucker stated they have the Financial Report before them and any questions could be directed to Bookkeeper Bennett.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for the Board ?
Clerk-Treasurer Wolfe replied not at this time.

Mayor Tucker asked if there were any Legals for consideration ?
There were none.

Mayor Tucker asked if anyone in the Audience wished to address the Board ?
There was no response.

Mayor Tucker asked if there was any Old Business ?
There was none.

Mayor Tucker asked if there was any New Business ?
There was none.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn.
Board member Hoehn moved the meeting be adjourned. Seconded by Board member
Fuelling.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative;
and following the vote, he reported the motion carried unanimously and adjourned the
meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Wolfe
Clerk-Treasurer

March 9, 2009

The Common Council met immediately following the Water Utility Board on the above
date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members
Fuelling, Hoehn, Curtis, and Higgins attending. Councilwoman Askren was not present.
Others attending were Attorney Higgins; Supt. Gray; Asst. St. Comm. Miller; Chief
Beloat; Chief Waters; Rich DeMarco – Johnson Controls, Inc.; Andy Hoehn; Judy
Whitten; Scott Miller – Umbaugh; Larry Bogan; Mike McCarty – GAF; Angie Davis;
Dave Pearce – Posey County News; Supt. Givens; and arriving during the meeting, Judy
and Joe Winiger.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertain a motion to waive their reading and to approve the minutes as presented.

Councilwoman Higgins moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilman Curtis.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated they will now hear the reports of the Standing Committees.

Street & Light Chairwoman Hoehn stated Comm. Maynard is out, but there is an issue that needs discussion – the closing of the railroad tracks on Givens Road April 6 – 12, 2009, near GAF and Countrymark, for replacement. She added a representative of GAF is present with a request to re-route their trucks down Smith Road during the week of the closure.

Mr. McCarty stated Evansville Western Railroad will be replacing the tracks starting on April 6 and no truck traffic will be able to get down Givens Road at that time. He understands there may be some concern with using Smith Road as an alternative, due to some youth programs kicking off that week at Brittlebank Park. He stated GAF will shut production down that week, but they will still have truck shipments. He added Smith Road would be the entry, and they would then exit onto Lower New Harmony Road. He further stated they are reducing the number of trucks they normally have per day during that week from 75 to 80 down to 15 to 20. He added the hours would be from 7:00 am to 3:00 or 4:00 pm, and the maximum weight would be 80,000 lbs – with empty trailers only traveling Smith Road.

Councilwoman Hoehn asked if this would be Monday through Friday ?

Mr. McCarty replied yes

Councilwoman Hoehn stated many times projects take longer than anticipated, does Mr. McCarty see that happening with this one ?

Mr. McCarty replied no, and added it will probably not take the entire week.

Councilwoman Higgins stated the intersection of Country Club and Smith Road is uphill and the trucks would really have to swing out there to make the turn. She added she could see where this might be a safety issue – especially with the hill and the blind spots around the area of the Mormon Church.

Mr. McCarty agreed and added it will be a challenge.

Judy and Joe Winiger arrived at the meeting.

Mr. McCarty stated they can also restrict truck traffic during bus route hours, if that would help.

Councilwoman Hoehn asked why they can't go in and out Lower New Harmony Road ?

Mr. McCarty replied the road is very narrow and having trucks enter and exit at the same time would cause a safety issue with trucks possibly lining up on Lower New Harmony.

Councilman Curtis added there is also a ditch on the west side of the Lower New Harmony that is pretty steep, the trucks could be right on the shoulder. He added he appreciates GAF's efforts on this so far.

Councilman Fuelling stated for him, the trucks being empty as they travel Smith Road is a huge relief.

Mr. McCarty stated the intersection of Country Club and Smith could be a big issue if cars are there, and other cars are coming over the hill.

Councilman Curtis wondered if the trucks couldn't come in front of the country club and then make the left hand turn onto Smith, they would already be in a position to make that turn.

Councilman Fuelling agreed that would make more sense.

Mr. McCarty added they could do that if it is acceptable to the Council.

Councilwoman Hoehn asked if they could also minimize traffic during the times the school buses are running in the morning and then again in the afternoon ?

Mr. McCarty replied GAF controls the time frames, and they can force drivers into any time slots the Council wishes.

Councilman Curtis stated he feels that a reasonable effort is being made.

Councilwoman Higgins asked if they could have the Street Department send out a notice of NO PARKING from Country Club Road to O'Donnell on Smith Road during that week ?

Councilman Fuelling stated with notices being sent, empty trucks only on Smith Road, most runs being made between 8:00 am and 3:00 pm, that is a lot, that would be good.

Mr. McCarty stated the new route the Council proposed should not be an effort for them.

Councilman Curtis added it will also be easier on the driver – Western Hills to Country Club to Smith Road.

Councilwoman Hoehn moved the weight requirements be waived from 8:00 am to 3:00 pm on Country Club and Smith Roads during the week of April 6 – 12, 2009, with weight not to exceed 40,000 lbs. Seconded by Councilman Curtis.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mr. McCarty left the meeting.

Police & Dog Chairwoman Askren was not present.

Chief Beloit stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Fire Chairman Fuelling reported the fire department made 18 runs since their last meeting.

Chief Waters stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Sewer Chairwoman Higgins stated she has no report.

Supt. Givens stated he has no report.
Mayor Tucker asked if there were any questions ?
There were none.

Mayor Tucker stated they have the Financial Report for February before them and any questions could be directed to Clerk-Treasurer Wolfe.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for the Council ?
Clerk-Treasurer Wolfe replied not at this time.

Mayor Tucker asked about the Legal portion of the Agenda.

Attorney Higgins stated the first item on the Legal portion of the Agenda is the 3rd reading of the proposed Ordinance to Rezone Certain Real Estate in the City of Mt. Vernon, State of Indiana, More Commonly Known as 205 Brown Street, City of Mt. Vernon, in Black Township, Posey County, IN.

Councilwoman Hoehn asked if any Council had heard comments ?

Councilman Curtis stated he has heard nothing. He then moved the ordinance pass final reading. Seconded by Councilwoman Hoehn.

Mayor Tucker asked if there was any discussion ?
There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – absent; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Clerk-Treasurer Wolfe added it will be numbered 09-04.

Ms. Davis left the meeting.

Attorney Higgins stated the next item is the 2nd reading of the Ordinance Creating the Position of Second Assistant Fire Chief Within the Mount Vernon Fire Department.

Councilwoman Hoehn moved the ordinance pass second reading. Seconded by Councilman Fuelling.

Mayor Tucker asked if there was any discussion ?
There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – absent; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Councilwoman Hoehn moved the rules be suspended. Seconded by Councilman Fuelling.

Mayor Tucker asked if there was any discussion ?
There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Councilwoman Hoehn moved the ordinance pass on final reading. Seconded by Councilman Fuelling.

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – absent; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Clerk-Treasurer Wolfe added it will be numbered 09-05.

Attorney Higgins stated next is Scott Miller with Umbaugh concerning the Preliminary Sewer Rate Study.

Mr. Miller stated they have been working on and/or with four different factors for this study – the year-end financials; requirements for the project itself; legal requirements; and finally issues with SRF and the stimulus. He added hopefully the estimates that are before them are high, as these are not solid figures, information is changing daily due to the stimulus. He asked the Council to refer to page 2, Phase I – Proposed Sewage Works Revenue Bonds to fund Phase I - \$3,060,000. He reminded Council they are only concerned with Phase I at this time. He added Page 3 notes the interest rate of 4.22%, which is higher than normal for SRF, which normally runs around 3%. Page 9 shows an across the board increase in sewer rates of 47.9% for Phase I, bringing the minimum monthly charge up to \$18.98 from the current \$12.83, per 4000 gallons. He asked if there were any questions and added that hopefully the rates will come down, this is a worst case scenario.

Councilman Curtis stated even at \$18.98 Mt. Vernon still would currently have the lowest sewer rate in this immediate area.

Councilwoman Hoehn asked if this increase is based on their current rates ?

Mr. Miller replied yes, based on 2008 flow.

Mayor Tucker added 4.22% is the worst case scenario, correct ? There is a good possibility it could come in less with SRF.

Mr. Miller agreed and added he has been hearing anywhere from 0% to 3%, there is nothing official that has been decided yet. He did add the State is looking for “shovel ready” projects.

Attorney Higgins asked if there were any questions ? She stated if not, and some arise later, Mr. Miller will be back. She added they are in a time crunch right now, as they need to get started and therefore, she is requesting a Special Meeting for March 30th. She stated the financing should be nailed down by the first reading of the proposed rate ordinance. She added it also needs to be advertised in the paper April 1, 2009.

Council consented to conduct a Special Meeting on March 30, 2009 at 6:00 p.m.

Attorney Higgins the final item under Legals is the Bond Ordinance for the Sewer Project. She added she just received it today and it authorizes financing of the Long Term Control Plan, Phases I and II, and also authorizes an interest rate of not to exceed 6%. She reminded Council they will only be doing Phase I this year. She then stated Ice Miller has been retained as bond counsel, and they suggest passage on first reading tonight, with 2nd and 3rd readings to be held at their Special Meeting on March 30.

Councilwoman Hoehn stated she wants to be sure she is clear – they can pass on first reading tonight so they will then have time before the March 30 meeting to read and study the ordinance.

Attorney Higgins agreed that was correct.

Councilman Curtis moved the Bond Ordinance pass on first reading. Seconded by Councilwoman Hoehn.

Mayor Tucker asked if there was any discussion ?

Attorney Higgins stated Council has a copy of the ordinance in their In Box via email.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – absent; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Mayor Tucker stated Jenni Sinnett is on the Agenda and asked if she was present ?

There was no response.

Mayor Tucker asked if anyone in the Audience wished to address the Council ?

There was no response.

Mayor Tucker asked if there was any Old Business ?

There was none.

Mayor Tucker asked if there was any New Business ?

There was none.

Mayor Tucker stated they will now hear the reports of the Districts.

1st District Councilwoman Askren was not present.

2nd District Councilman Fuelling stated he has no report.

3rd District Councilwoman Hoehn stated she has no report.

4th District Councilman Curtis stated he has no report.

Councilwoman-at-Large Higgins stated she has no report.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn.

Councilman Fuelling moved the meeting be adjourned. Seconded by Councilwoman Hoehn.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Wolfe
Clerk-Treasurer